

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: :
 : Docket #15cr765
UNITED STATES, :
 :
Plaintiff, :
 :
- against - :
 :
CAMPO FLORES, et al., : New York, New York
 : November 12, 2015
 :
Defendants. :
----- :

PROCEEDINGS BEFORE
THE HONORABLE JAMES L. COTT,
UNITED STATES DISTRICT MAGISTRATE JUDGE

APPEARANCES:

For Plaintiff: UNITED STATES ATTORNEY OFFICE
SOUTHERN DISTRICT OF NEW YORK
BY: BRENDAN QUIGLEY, ESQ.
EMIL BOVE, ESQ.
One Saint Andrew's Plaza
New York, New York 10007

For Defendant Campo Flores: SQUIRE PATTON BOGGS L.L.P.
BY: JOHN J. REILLY, ESQ.
REBEKAH J. POSTON, ESQ.
30 Rockefeller Plaza
New York, New York 10112

For Defendant Dafritas: FEDERAL DEFENDERS OF NEW YORK
BY: VINCENT SOUTHERLAND, ESQ.
52 Duane Street, 10th Floor
New York, New York 10007

INTERPRETER PRESENT

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E X A M I N A T I O N S

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Re- Direct</u>	<u>Re- Cross</u>
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None

E X H I B I T S

<u>Exhibit Number</u>	<u>Description</u>	<u>ID</u>	<u>In</u>	<u>Voir Dire</u>
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None

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2 THE COURT: U.S. v. Betances and Collado,
3 assigned to Judge Daniels, and U.S. v. Flores and Dafritas
4 is assigned to Judge Crotty.

5 (off the record)

6 THE CLERK: United States of America v. Efrain
7 Antonio Campo Flores and Frankie Francisco Flores Dafritas
8 (phonetic). Counsel, state your name for the record.

9 MR. BRENDAN QUIGLEY: Good afternoon, Brendan
10 Quigley, Emil Bove, Matthew LaRoche for the United States.
11 We're joined by Special Agent (indiscernible) Brooks of
12 the DEA.

13 THE COURT: Good evening to you, and everyone
14 in the courtroom maybe seated. Counsel, you may proceed.

15 MR. JOHN REILLY Good evening, Your Honor, my
16 name is John Reilly. I'm a partner in the firm of Squire
17 Patton Boggs. I'm a member of this court. This evening I
18 want to introduce to Your Honor my partner Rebekah Poston
19 who's a member of our firm. She practices in Florida.
20 She's a member of the state bar of Florida and the federal
21 district court in the Southern and Middle District of
22 Florida. And tomorrow I will move her admission pro hac
23 vice, but this evening I request Your Honor's permission
24 to allow Miss Poston to proceed on behalf of Mr. Flores
25 for this proceeding.

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THE COURT: Permission granted. Welcome, Miss Poston.

MR. VINCENT SOUTHERLAND: Good evening, Your Honor, Federal Defenders by Vincent Southerland on behalf of Mr. Flores Dafritas.

THE COURT: All right, good afternoon or good evening to you, again, Mr. Southerland, and good evening to both of the defendants. Let me begin by asking Mr. Quigley, can you tell me when these defendants were arrested please?

MR. QUIGLEY: Yes, Your Honor, the defendants were arrested on Tuesday in Haiti. They arrived in the district Tuesday night.

THE COURT: And we're here for a presentment but not arraignment in this case, is that correct?

MR. QUIGLEY: That's correct, Your Honor.

THE COURT: All right. And let me ask, has Judge Crotty scheduled an initial conference in this matter?

MR. QUIGLEY: He has, Your Honor, it's been scheduled for November 18, 2015 at 3 p.m.

THE COURT: November 18 at 3 p.m.

MR. QUIGLEY: Yes, Your Honor.

THE COURT: All right, let me now address

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myself to the defendants. I want to inform you of a number of rights that you have. First of all, you have the right to remain silent. Anything that you say can be used against you. If you have made any statements to the authorities in the past, you still have the right to remain silent going forward. You also have the right to be represented by an attorney at all proceedings. If you cannot afford an attorney, you have the right to request that the Court appoint an attorney for you.

And I have a financial affidavit from Mr. Flores Dafritas that you have signed under penalty of perjury. Please be advised that you can be charged with perjury if there are any false statements in this affidavit. Do you understand that?

MR. FLORES DAFRITAS: I do.

THE COURT: All right, I am going to approve the appointment of counsel for you. And just to be precise, Miss Poston, I gather you are retained counsel, is that correct?

MS. REBEKAH POSTON: That is correct, Your Honor.

THE COURT: All right, very well. I have a copy of the superseding indictment in this case. It's a one-count indictment that charges the defendants with

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violations of the federal narcotics laws. Miss Poston,
have you seen the indictment and had an opportunity to
review it with your client?

MS. POSTON: I have, Your Honor, as to both.

THE COURT: And do you waive its public
reading?

MS. POSTON: I waive its reading.

THE COURT: Mr. Southerland, the same questions
for you. Have you seen the indictment and had an
opportunity to review it with your client?

MR. SOUTHERLAND: I have, Your Honor.

THE COURT: And do you waive its public
reading?

MR. SOUTHERLAND: I do.

THE COURT: All right, Mr. Quigley, what is the
Government's position with respect to bail as it relates
to Mr. Campo Flores?

MR. QUIGLEY: Your Honor, the Government is
seeking detention.

THE COURT: And with respect to Mr. Flores
Dafritas?

MR. QUIGLEY: Your Honor, the Government's
seeking detention.

THE COURT: Do either counsel wish to make an

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application at this time?

MS. POSTON: Not at this time, Your Honor.

MR. SOUTHERLAND: Not at this time.

THE COURT: So the defendants will both be detained on consent without prejudice to a future application presumably before Judge Crotty unless he refers such an application back here to magistrate's court. What else from the Government, if anything, do we need to address at this time?

MR. QUIGLEY: Nothing else, Your Honor.

THE COURT: Miss Poston, anything else at this time?

MS. POSTON: No, Your Honor.

THE COURT: Mr. Southerland.

MR. SOUTHERLAND: No, Your Honor.

THE COURT: All right, thank you all and have a good evening.

(Whereupon, the matter is adjourned.)

C E R T I F I C A T E

I, Carole Ludwig, certify that the foregoing transcript of proceedings in the case of United States v. Flores, Docket #15cr765, was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature_____

Date: November 17, 2015